

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:19-cv-02977-TNM**

MONTANA ENVIRONMENTAL INFORMATION CENTER  
 v. UNITED STATES OFFICE OF SURFACE MINING  
 RECLAMATION AND ENFORCEMENT  
 Assigned to: Judge Trevor N. McFadden  
 Cause: 05:552 Freedom of Information Act

Date Filed: 10/03/2019  
 Jury Demand: None  
 Nature of Suit: 895 Freedom of  
 Information Act  
 Jurisdiction: U.S. Government Defendant

**Plaintiff**

**MONTANA ENVIRONMENTAL  
 INFORMATION CENTER**

represented by **Shiloh Silvan Hernandez**  
 WESTERN ENVIRONMENTAL LAW  
 CENTER  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

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**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**UNITED STATES OFFICE OF  
 SURFACE MINING RECLAMATION  
 AND ENFORCEMENT**

represented by **Paul Cirino**  
 U.S. ATTORNEY'S OFFICE FOR THE  
 DISTRICT OF COLUMBIA  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
10/03/2019	<u>1</u>	COMPLAINT for Declaratory and Injunctive Relief against UNITED STATES OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT ( Filing fee \$ 400 receipt number 0090-6415714) filed by MONTANA ENVIRONMENTAL INFORMATION CENTER. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons U.S. Office of Surface Mining and Enforcement, # <u>3</u> Summons U.S. Attorney District of DC, # <u>4</u> Summons U.S. Attorney General)(Mellgren, John) (Entered: 10/03/2019)
10/03/2019	<u>2</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Shiloh S. Hernandez, :Firm- Western Environmental Law Center, :Address- 103 Reeder's Alley, Helena, Montana 59601. Phone No. - 406-204-4861. Filing fee \$ 100, receipt number 0090-6415798. Fee Status: Fee Paid. by MONTANA ENVIRONMENTAL INFORMATION CENTER (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Mellgren, John) (Entered: 10/03/2019)

10/03/2019	<u>3</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by MONTANA ENVIRONMENTAL INFORMATION CENTER (Mellgren, John) (Entered: 10/03/2019)
10/08/2019		Case assigned to Judge Trevor N. McFadden. (zmc) (Entered: 10/08/2019)
10/08/2019	<u>4</u>	SUMMONS (3) Issued Electronically as to UNITED STATES OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT, U.S. Attorney and U.S. Attorney General (zmc) (Entered: 10/08/2019)
10/08/2019	<u>5</u>	STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 10/8/2019. (lctnm3) (Entered: 10/08/2019)
10/08/2019		MINUTE ORDER granting the <u>2</u> Motion for Leave to Appear Pro Hac Vice. Counsel Shiloh S. Hernandez shall promptly register for this Court's CM/ECF system. Signed by Judge Trevor N. McFadden on 10/8/2019. (lctnm3) (Entered: 10/08/2019)
10/09/2019	<u>6</u>	NOTICE of Appearance by Shiloh Silvan Hernandez on behalf of MONTANA ENVIRONMENTAL INFORMATION CENTER (Hernandez, Shiloh) (Entered: 10/09/2019)
10/25/2019	<u>7</u>	NOTICE of Appearance by Paul Cirino on behalf of UNITED STATES OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT (Cirino, Paul) (Entered: 10/25/2019)
11/05/2019	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 10/17/2019. Answer due for ALL FEDERAL DEFENDANTS by 11/16/2019. (Attachments: # <u>1</u> Affidavit of Mailing, # <u>2</u> Exhibit – Certified Mail Receipts)(Hernandez, Shiloh) (Entered: 11/05/2019)
11/05/2019	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 10/15/2019. (Attachments: # <u>1</u> Affidavit of Mailing, # <u>2</u> Exhibit – Certified Mail Receipts)(Hernandez, Shiloh) (Entered: 11/05/2019)
11/05/2019	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT served on 10/15/2019 (Attachments: # <u>1</u> Affidavit of Mailing, # <u>2</u> Exhibit – Certified Mail Receipts)(Hernandez, Shiloh) (Entered: 11/05/2019)
11/18/2019	<u>11</u>	ANSWER to Complaint by UNITED STATES OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT.(Cirino, Paul) (Entered: 11/18/2019)
11/18/2019		MINUTE ORDER. Before the Court are a complaint and an answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an <i>Open America</i> stay is likely in this case, whether a <i>Vaughn</i> index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the report on or before December 18, 2019. Signed by Judge Trevor N. McFadden on 11/18/2019. (lctnm3) (Entered: 11/18/2019)